

## IMPLEMENTATION TEAM CONFERENCE CALL

November 12, 1997  
National Marine Fisheries Service Offices  
Portland, Oregon.

A conference call, to discuss agenda items for the November 21 Executive Committee meeting and other items, was convened on November 12, 1997. The facilitator was John Palensky of NMFS; other call participants included Tony Nigro of ODFW, Ron McKown and Jim Fodrea of USBR, Witt Anderson of the Corps of Engineers; Michele DeHart of the Fish Passage Center; DeWitt Moss of the West Side Canal Company; Jean Edwards of Rep. Elizabeth Furse's staff; Jim Yost of the Idaho Governor's office; Tom Cooney of WDFW, Greg Delwiche and Dan Daley of BPA and Mike Schiewe of NMFS. The following is a distillation – not a verbatim transcript – of items discussed and work products completed and assigned at the meeting.

The first item we need to discuss today is a recommendation on facilitation for the Regional Forum committees, Palensky began. I talked with Jack Wong, and I will be on the Council's agenda at their upcoming meeting in Spokane to seek Council approval for facilitation funding – the release of ESA funds to pay for the first year's facilitation.

The issue with the Council isn't so much how we're going to structure facilitation, Palensky said, but the cost of facilitation. The initial indication I've gotten is that the Council would probably approve something in the neighborhood of \$75,000, but if we request much more than that, we're going to be at risk.

The options identified in the issue paper range in cost from about \$75,000 up to \$150,000, Palensky continued. I added another option (Option 6) after the last Implementation Team meeting, in which a facilitator would be hired to follow a particular project or issue through to its conclusion – for example, the development of the 1998 Water Management Plan. What I would like to do today is see if there is one of these options, or perhaps a combination of options, that we can all agree on, Palensky said. That will allow me to present a clear direction to the Council as far as how the IT recommends that we proceed.

I need to add the caveat that Will Stelle is still interested in having facilitation for the Executive Committee – a neutral chair, Palensky continued. In other words, NMFS would prefer that whatever option is chosen includes EC facilitation. Does anyone have strong feelings about one or another of these options? he asked.

No strong opinions being expressed, Palensky said that his intention is to advise the Council that the IT is seeking up to \$75,000 for facilitation in FY'98, probably using Option 5 as its model. Under this option, meetings would be facilitated on an as-required basis. I think that is the

option that gives us the most flexibility, Palensky said, allowing us to bring in a facilitator for any of the Regional Forum committees, or for any particular issue. Option 5 would allow the various team leaders to work with the Implementation Team to determine which activities would be most appropriate for facilitation.

Under Option 5, who would determine whether a given meeting was or was not facilitated? asked Nigro. I'm not sure at this point, Palensky replied – it's something that needs to be developed further, perhaps by asking each of the teams to look at the work they have in front of them and determining which meetings will need to be facilitated. It might make sense to ask each of the team chairs to come forward with their recommendations, which would then be reviewed by the Implementation Team for consistency with available funding.

My point is that we're going to have to think carefully about the most effective way to use facilitation, given this limited budget, Nigro said. We need to decide what we want to establish as the status quo – do we want the status quo to be our current system, such that the burden would be on those who want to see a particular meeting facilitated? Or do we want the status quo to be that a given set of meetings will all be facilitated to some degree, such that the burden of proof is transferred to those arguing against facilitation for a particular meeting? To me, that's an important issue to be dealt with before we choose a particular option. I agree with Tony, said Cooney.

Palensky said that, during his initial discussions with Council staff, six months was suggested as an initial trial period for the facilitation contract. That will help make the available funds go considerably further among the different teams; if facilitation proves to be as useful as we hope it will, it will then be much easier to go back to the Council and request additional funding, he said. We haven't crunched the numbers intensively at this point, he continued, but I think this six-month contract would allow us to provide a reasonable level of facilitation for most of the teams. The key is going to be the amount of work required between meetings.

After some minutes of further debate, Palensky summarized this discussion by saying that meetings will be facilitated unless there is consensus within a given team that a meeting does not need to be facilitated. That's what I'll plan to tell the Council in Spokane, he said, together with our recommendation that \$75,000 be approved for six months of facilitation, to be distributed on an as-needed basis among all of the Regional Forum committees. Any objection to proceeding in that way? he asked. Only that that is basically Option 3, said Nigro; I would suggest that you request the \$80,000 listed for that option in the issue paper. It was so agreed.

And this is also the option we'll be presenting to the Executive Committee on November 21? Palensky asked. If you're going to use the wording under Option 3, you'll probably need to make a few changes, said Anderson – the Corps is particularly sensitive about the words "neutral chair" in the context of the Technical Management Team, where real-time decision-making is required. I understand what "neutral chair" means, and so does Doug Arndt, but from General Griffin's standpoint, that may be a semantic problem. I'll see if I can develop an alternative wording, Palensky said.

Moving on to the second topic on today's agenda, the Upper Snake River water issue, Palensky said it is his understanding that an issue paper has been drafted on this subject. Jim Fodrea, Jim Yost, Ron Boyce and I met after the last IT meeting, said DeHart; we did draft an issue paper,

which was then faxed to the Bureau of Reclamation and the State of Idaho for review. We were hoping to get their comments back in time to present the issue paper to the IT on Monday; however, to date, no comments have been received, so the issue paper is in limbo at this point, DeHart said.

I visited with Governor Batt and his chief of staff this morning, said Yost – our comments are close, but we're not ready to submit them yet. I think it will be possible to develop our comments in time for this issue paper to be presented to the Executive Committee, said Fodrea. However, we're not prepared to present them at today's conference call. What kind of time-frame is Idaho looking at for their comments? asked Palensky. Possibly by as early as tomorrow, certainly by the end of the week, Yost replied. Idaho's main concern is that the issue has not been correctly characterized in the paper, and plans to offer an alternative wording, he added.

Concerns were raised about the short time-frame remaining until the Executive Committee meeting, and the possible lack of opportunity for IT input before the issue paper is presented to the EC. One meeting participant suggested that this issue could be postponed until the next EC meeting, probably in February; DeHart observed that Upper Snake water delivery has been and will continue to be a key issue in the development of the annual Water Management Plan. As long as that fundamental question remains to be answered, she said, the same conflicts will continue to occur.

Unless the IT has adequate opportunity to discuss whether the issue is being fairly characterized, said Palensky, I'm hesitant to put it on the November EC agenda for decision – perhaps we should consider leaving it on the agenda as an information item only if it is not ripe for decision by the 21. After some minutes of discussion, it was agreed that if all relevant comments on the draft issue paper can be submitted by noon Friday, November 14, it will then be possible to schedule an IT conference call to discuss them, and to finalize this issue for EC consideration and decision on November 21. It was agreed to convene another IT conference call on Monday, November 17 to discuss the Upper Snake water delivery issue, how it is to be presented to the Executive Committee, and the possibility that NMFS may be able to settle this issue without referring it to the EC.

The next topic to discuss is the review of the BPA presentation on economics, Palensky said. At the last IT meeting, Dan Daley presented some information; I now understand that BPA has decided to revise that presentation. Delwiche explained that, after discussions with Brian Brown, it had become apparent that Daley's presentation had not fully addressed the Implementation Team's or the Executive Committee's information needs. Basically, Delwiche said, Brian said the Executive Committee would like to hear a presentation on what costs -- both foregone revenues and replacement power purchases -- were associated with implementing 1995 BiOp measures in the 1997 operating year.

We will not be able to present those specific numbers by November 21; they are being compiled, but the bottom line is that those numbers are generated through an hourly analysis of the entire operating year, an extremely detailed process, Delwiche continued -- it simply will not be completed in time for the EC meeting. What I can present is information on how BPA would compile those numbers, breaking down the BiOp into flow augmentation measures, spill measures, 1% peak efficiency impacts etc. I can describe in qualitative terms how we think those measures affected BPA economically, he said. However, I can't put accurate numbers on

those measures until we complete our modeling analysis, some time in early January.

Is that something the IT feels would be useful for the Executive Committee, given the fact that we won't have specific numbers to plug in at this point, or would it be more useful to wait until final numbers are available for FY'97? Delwiche asked. The numbers are important, but in my view, it would be worth talking to the EC about the approach BPA is using to calculate those costs, Palensky replied. In response to a question, Delwiche spent a few minutes describing the specifics of what he would be able to present on November 21; Palensky suggested that, from an organizational standpoint, it would be most useful for Delwiche to focus his presentation on two main areas: foregone revenues and power purchase costs. You could then break out specific BiOp measures within those two categories, he suggested. That makes sense, Delwiche agreed. After some minutes of further discussion, it was agreed that Delwiche's presentation will remain on the November 21 EC agenda for now, but that it will be placed within the review of 1997 hydro operations, rather than as a separate agenda item. However, I would suggest that, if time runs short at the meeting, this is one item that could be deferred until the next EC meeting, said Nigro.

Moving on, Palensky asked Anderson to discuss the Corps' planned capital projects review for the November EC meeting. This task was actually given to the Power Planning Council by Congress in the FY'98 appropriation, Anderson said – it's not really our party, in other words. The Council is hosting a series of regional involvement meetings, to get input from various parties on the scope and process for review of the FY'98 Columbia River Fish Mitigation (CRFM) budget. The Corps has no objection to this review; however, in the interim, we will be continuing to implement the FY'98 program as called for in the Biological Opinion, including the work on the Bonneville PH2 outfall, Anderson said.

I guess what I'm saying is that this is an EC agenda item that should probably be presented by the Council, rather than the Corps, Anderson continued. I don't think it will be a big agenda item, said Palensky – I'll coordinate the presentation with Jim Ruff.

The next agenda item is the 1998 juvenile transport question for the ISAB, Palensky said. With the exception of a comment from Oregon and Washington, there has been no further discussion of this issue since the October 31 draft of this question was distributed for review. How do we want to proceed with this, given the need to frame it very carefully for the Executive Committee? he asked. Do we want to discuss this issue further at today's meeting, or should we ask Mike Schiewe, Tony Nigro and Tom Cooney to work on this further?

Schiewe recapped the most recent IT discussion of this issue, saying that the intent was to ask the ISAB to look at the available information and to come to a scientific conclusion regarding the transportation option – what will return the most fish in 1998? We put a couple of conditions on that, he continued – one is the current system configuration, and the fact that that is specific to one year – we don't want it to prejudice the long term. Second, there is a policy consideration – given the Biological Opinion. Third, said Schiewe, there is a scientific consideration – review of the relevant empirical data. Tony and Tom posed what is essentially a different question, Schiewe explained – they suggested that what we were proposing to ask the ISAB is not a science question, and proposed instead that the ISAB be asked whether the differences in past evaluations are real and significant. They suggested further that the ISAB be directed as to what to consider in terms of assumptions and uncertainties.

We were essentially trying to ensure that the question is asked in terms of information that is on the table, said Cooney. Let me ask you this, because I think it's more or less the crux of where we're not in agreement, said Schiewe – do you consider what we've asked PATH to do, in terms of predicting productivity or SARs under certain possible alternatives, to be a scientific endeavor? I would, Cooney replied – we're asking the question in a specific way, and we're asking PATH to address it in a specific way. The question to the ISAB seems to be focused on “give us your best answer” – for that reason, I have a problem with it right from the start, Cooney said.

Perhaps we could find some common ground if we were to frame the ISAB question in the same way the question to PATH has been framed, casting it in terms of probabilities or likelihoods of outcome, Schiewe suggested. Again, what Will would like the ISAB to do is to look at the existing information and, in a very narrow sense, give us their scientific read as to what kind of an option, for 1998, will return the greatest number of fish -- again, without prejudice to the long term, which is a separate issue. In response to a question from Cooney, Schiewe suggested that it would be fair to amend the question to reflect issues raised within IT, such as the potential risks associated with increased straying.

Ultimately, it was agreed that Schiewe, Nigro and Cooney will have further discussions on this issue prior to the IT's November 17 conference call, in an effort to frame the ISAB question in a way that all three are comfortable with. It was further agreed that the transportation question will be a possible second agenda item on the November 21 conference call.

Moving on, Palensky discussed some of Jean Edwards' suggestions regarding the November 21 EC agenda, in particular her feeling that Item II, “1999 Major Decision Activities,” is really the meat of the agenda. I wanted to ask the other participants first, whether there are any other important items that need to be on the agenda for the 21st, and second, whether there might be a way to streamline the current Agenda Item III (“Interim Measures to Improve Salmon Survival”) to allow more time for the discussion of Item II? Palensky said.

Nigro observed that Brian Brown has not yet provided NMFS' promised straw man proposal for 1998 transport operations; given the fact that it now appears unlikely that the other IT participants will have adequate time to review the straw man, he questioned the utility of including it on the November 21 EC agenda. I would hate to see that just plopped on the table at the EC meeting, without any opportunity to discuss it beforehand, Cooney agreed. After some minutes of discussion, it was agreed to remove Item III D from the November 21 agenda.

Edwards suggested that Item III A – the review of 1997 hydro operations – be kept as simple and streamlined as possible, bearing in mind the executive audience for which it is intended. I suggest that the 1997 information be presented in light of how it will affect planned 1998 operations, and how it can be used to inform 1998 decisions, she said. That's a good suggestion, said Palensky, and I will give appropriate directions to the presenters.

One other issue, he said – we had initially included an update on the Three Sovereigns process on the November 21 agenda; given the fact that most of the EC members are tied into the Three Sovereigns group in one way or another, do others feel that an update is necessary? After a brief discussion, it was agreed that Will Stelle be asked to include a short Three Sovereigns progress report in his opening overview at the November 21 meeting. With that, the meeting

was adjourned. Meeting notes prepared by Jeff Kuechle, BPA contractor.